IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

LA.App..No. 891 of 2001()

LAR.158/1997 of ADDL.SUB COURT, NORTH PARAVUR
.....

APPELLANT:

STATE OF KERALA.

BY
GOVERNMENT PLEADER SMT.K.R.DEEPA.

RESPONDENTS:

1.K.THRESSIA, W/O.PAPPACHAN, PULIKKAL,
PERUMPADANNA.

2.JOSE, S/O.POULOSE, MALIAKKAL,
PARAVATHARA.

BY ADV. SRI.B.RAMACHANDRAN
SMT.P.N.INDU

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A.667/05 IN LAA NO.891/01

DISMISSED

12.9.2007 SD/- KURIAN JOSEPH, JUDGE.

SD/- HARUN-UL-RASHID, JUDGE.

TGS

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO.891 OF 2001

Dated 12th September, 2007.

J U D G M E N T

Kurian Joseph, J.

This appeal is directed against the judgment and decree in L.A.R.158/97 on the file of the Sub Court, North Paravur. The reference court relied on the judgment and decree in L.A.R.No.110/97. That has become final in view of the judgment in L.A.A.1531/2000. Thus, there is no merit in the appeal filed by the State regarding the enhancement of the land value.

2. Learned counsel for the claimants submits that they have not been granted the statutory benefits. Since it is settled law that the claimants are entitled to interest on solatium and also interest on additional market value, it is not necessary to compel the claimants to have another round of litigation, either by way of a cross objection or a separate appeal. Therefore, while dismissing the appeal, we make it clear that the claimants/respondents will be entitled

to statutory benefits, including interest on solatium and additional market value. The judgment and decree will stand modified to the above extent.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

L.A.A. NO.891 OF 2001

J U D G M E N T

Dated 12th September, 2007.